



INTEL Docket No.: P18061

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **MEMORY CELL WITHOUT HALO IMPLANT**, the specification of which

☒ was filed on December 31, 2003 as United States Application No. 10/750,566.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in 37 CFR Section 1.56 (Appendix B, which is incorporated by reference and a part of this document).

I hereby claim foreign priority benefits under 35 USC Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Applications(s)

Priority  
Not Claimed

			<input type="checkbox"/>
(Number)	(Country)	(Date/Month/Year Filed)	
			<input type="checkbox"/>
(Number)	(Country)	(Date/Month/Year Filed)	

INTEL Docket No.: P18061

I hereby claim the benefit under 35 USC Section 119(e) of any United States provisional application(s) below:

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

I hereby claim the benefit under 35 USC Section 120 of any United States application(s), or Sections 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 USC Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37 CFR, or PCT International filing date of this application:

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

INTEL Docket No.: P18061

**PTO Customer Number 28062**

Nathaniel Levin (Reg. No. 34,860);  
Kurt M. Maschoff (Reg. No. 38,235);  
Patrick J. Buckley (Reg. No. 40,928);  
Nandu A. Talwalkar (Reg. No. 41,339); and  
Carson C. K. Fincham (Reg. No. 54,096).


In addition, I hereby appoint the persons listed on Appendix A (which is incorporated by reference and a part of this document) as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send correspondence to:

**PTO Customer Number 28062**

Nandu A. Talwalkar  
BUCKLEY, MASCHOFF & TALWALKAR LLC  
Five Elm St.  
New Canaan, CT 06840

Direct telephone calls to: Nandu A. Talwalkar at (203) 972-0049.

Full name of First Inventor <b>Ali Keshavarzi</b>	
First Inventor's Signature 	Date: 06/28/2004
Residence 2341 NW Birkendene Street, Portland, OR USA 97229	
Citizenship US	
Post Office Address SAME AS RESIDENCE	

Full name of Second Inventor <b>Stephen H. Tang</b>	
Second Inventor's Signature	Date:
Residence 20777 NW Trailwalk Drive - Apt. D308, Beaverton, OR USA 97006	
Citizenship US	
Post Office Address SAME AS RESIDENCE	

INTEL Docket No.: P18061

**PTO Customer Number 28062**

Nathaniel Levin (Reg. No. 34,860);  
 Kurt M. Maschoff (Reg. No. 38,235);  
 Patrick J. Buckley (Reg. No. 40,928);  
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Send correspondence to:

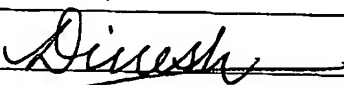
**PTO Customer Number 28062**

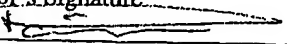
Nandu A. Talwalkar  
 BUCKLEY, MASCHOFF & TALWALKAR LLC  
 Five Elm St.  
 New Canaan, CT 06840

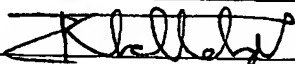
Direct telephone calls to: Nandu A. Talwalkar at (203) 972-0049.


Full name of First Inventor <b>Ali Keshavarzi</b>	
First Inventor's Signature	Date:
Residence 2341 NW Birkendene Street, Portland, OR USA 97229	
Citizenship US	
Post Office Address SAME AS RESIDENCE	
Full name of Second Inventor <b>Stephen H. Tang</b>	
Second Inventor's Signature 	Date: <i>June 28, 2004</i>
Residence <del>7955 Hillsboro Ct. - Pleasanton, CA 94508</del> 20777 NW Trailwalk Drive - Apt. D308, Beaverton, OR USA 97006	
Citizenship US	
Post Office Address SAME AS RESIDENCE	

INTEL Docket No.: P18061

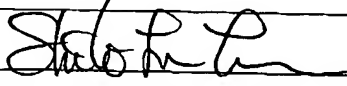
Full name of Third Inventor <b>Dinesh Somasekhar</b>	
Third Inventor's Signature 	Date: 06/28/2004
Residence 222 SW Harrison Street, 01A, Portland, OR USA 97201	
Citizenship India	
Post Office Address SAME AS RESIDENCE	


Full name of Fourth Inventor <b>Fabrice Paillet</b>	
Fourth Inventor's Signature 	Date: 06/28/2004
Residence 1691 NE 64th Avenue, Hillsboro, OR USA 97124	
Citizenship French	
Post Office Address SAME AS RESIDENCE	

Full name of Fifth Inventor <b>Muhammad M. Khellah</b>	
Fifth Inventor's Signature 	Date: 06/28/2004
Residence <del>2 Jefferson Parkway, #A1, Lake Oswego, OR USA 97035</del> 12263 SW Hollow lane, Tigard, OR 97223	
Citizenship Canada	
Post Office Address SAME AS RESIDENCE	

Full name of Sixth Inventor <b>Yibin Ye</b>	
Sixth Inventor's Signature 	Date: 6/28/04
Residence 14695 NW Vance Drive, Portland, OR USA 97229	
Citizenship China	
Post Office Address SAME AS RESIDENCE	

INTEL Docket No.: P18061

Full name of Seventh Inventor <b>Shih-Lien L. Lu</b>	
Seventh Inventor's Signature 	Date: <b>7/1/2004</b>
Residence 14069 NW Lakeview Drive, Portland, OR USA 97229	
Citizenship US	
Post Office Address SAME AS RESIDENCE	

Full name of Eighth Inventor <b>Vivek K. De</b>	
Eighth Inventor's Signature 	Date: <b>6/28/04</b>
Residence 9785 SW 151st Avenue, Beaverton, OR USA 97007	
Citizenship India	
Post Office Address SAME AS RESIDENCE	

**APPENDIX A**

Alan K. Aldous, Reg. No. 31,905; Rob D. Anderson, Reg. No. 33,826; Shireen I. Bacon, Reg. No. 40,494; Michael Barre, Reg. No. 44,023; Jay P. Beale, Reg. No. 50,901; R. Edward Brake, Reg. No. 37,784; Ben Burge, Reg. No. 42,372; Robert Chang, Reg. No. 48, 765; George Chen, Reg. No. 50,807; Glen B. Choi, Reg. No. 43,546; Kenneth Cool, Reg. No. 40,570; Ted A. Crawford, Reg. No. 50,610; Robert Diehl, Reg. No. 40,992; Jeffrey S. Draeger, Reg. No. 41,000; Cynthia Thomas Faatz, Reg. No. 39,973; Christopher Gagne, Reg. No. 36,142; Sharmini N. Green, Reg. No. 41,410; Robert Greenberg, Reg. No. 44,133; Bradley Greenwald, Reg. No. 34,341; Libby Hope, Reg. No. 46,774; Jeffrey B. Huter, Reg. No. 41,086; Seth Z. Kalson, Reg. No. 40,670; Peter Lam, Reg. No. 44,855; Issac Lin, Reg. No. 50,672; Anthony Martinez, Reg. No. 44,223; Molly McCall, Reg. No. 46,126; Larry Mennemeier, Reg. No. 51,003; Paul Nagy, Reg. No. 37,896; Michael J. Nesheiwat, Reg. No. 47,819; Dennis A. Nicholls, Reg. No. 42,036; Lanny Parker, Reg. No. 44,281; Alan Pedersen-Giles, Reg. No. 39,996; Michael D. Plimier, Reg. No. 43,004; Michael Proksch, Reg. No. 43,021; Kevin A. Reif, Reg. No. 36,381; Crystal D. Sayles, Reg. No. 44,318; Russell Scott, Reg. No. 43,103; Kenneth M. Seddon, Reg. No. 43,105; Mark Seeley, Reg. No. 32,299; Ami P. Shah, Reg. No. 42,143; David Simon, Reg. No. 32,756; Steven P. Skabrat, Reg. No. 36,279; Paul E. Steiner, Reg. No. 41,326; Joni D. Stutman-Horn, Reg. No. 42,173; David Tran, Reg. No. 50,804; John F. Travis, Reg. No. 43,203; Robert Wawrzyn, Reg. No. 54,654; Calvin E. Wells, Reg. No. 43,256; Stuart Whittington, Reg. No. 45,215; Michael Willardson, Reg. No. 50,856; Robert Winkle, Reg. No. 37,474; Rita Wisor, Reg. No. 41,382; Sharon Wong, Reg. No. 37,760; and Steven D. Yates, Reg. No. 42,242; my patent attorneys, and my patent agents, of INTEL CORPORATION, with offices located at 2200 Mission College Blvd., Santa Clara, CA 95052, telephone (408)765-8080; with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

## APPENDIX B

Title 37, Code of Federal Regulations, Section 1.56 *Duty to Disclose Information Material to Patentability*

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
  - (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.





Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: KESHAVARZI et al.

Serial No.: 10/750,566

Filing Date: December 31, 2003

For: MEMORY CELL WITHOUT HALO  
IMPLANT

)  
)  
) Examiner: Not yet assigned

)  
) Group Art Unit: 2818

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) **INTEL Docket No.: P18061**  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DESIGNATION OF PRACTITIONERS IN POWER OF ATTORNEY TO BE OF RECORD**

Sir:

Please designate the following ten practitioners in the power attorney to be recognized by the Office as being of record in the present application:

PTO Customer Number **28062**

- (1) Nathaniel Levin (Reg. No. 34,860);
- (2) Kurt M. Maschoff (Reg. No. 38,235);
- (3) Patrick J. Buckley (Reg. No. 40,928);
- (4) Nandu A. Talwalkar (Reg. No. 41,339); and
- (5) Carson C. K. Fincham (Reg. No. 54,096).

and

- (6) Rob D. Anderson (Reg. No. 33,826);
- (7) Robert Chang (Reg. No. 48,765);
- (8) Seth Z. Kalson (Reg. No. 40,670);
- (9) Paul Nagy (Reg. No. 37,896); and
- (10) Mark Seeley (Reg. No. 32,299).

Respectfully submitted,

July 2, 2004  
Date

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Nandu A. Talwalkar  
Registration No. 41,339  
Attorney for Intel Corporation  
Buckley, Maschoff & Talwalkar LLC  
Five Elm Street  
New Canaan, CT 06840  
(203) 972-0049